

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HUGHES *et al.*

Appl. No.: 10/799,072

Filed: March 12, 2004

For: **Genes and Proteins, and Their
Use**

Confirmation No.: 9134

Art Unit: 1645

Examiner: BASKAR, Padmavathi

Atty. Docket: 2479.032000J/EKS/C-K

**Fourth Supplemental Information Disclosure Statement
under 37 C.F.R. § 1.97(b)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98. The numbering on this Fourth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's Third Supplemental Information Disclosure Statement filed on February 27, 2008 in connection with the above-captioned application.

Copies of documents **NPL6-NPL10** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), a copy of U.S. patent document **US12** cited on the attached IDS Form PTO/SB/08A is not submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

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